

SENATE BILL 2076
By Cooper

AN ACT to amend Tennessee Code Annotated, Title 68,
Chapter 30, relative to the creation of a Task
Force on Organ Donation and Transplantation.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 30, is amended by adding
the following language as an appropriately designated new section:

68-30-____.

(a) There is hereby established within the department of health a task
force on organ donation and transplantation ("the task force"). The task force
shall have the following seventeen (17) members:

- (1) The commissioner of health, ex officio, or his or her designee;
- (2) The commissioner of safety, ex officio, or his or her designee;
- (3) Three (3) members of the general assembly; one (1) appointed
by the speaker of the senate; one (1) appointed by the speaker of the
house of representatives; and one (1) appointed by the governor;
- (4) Twelve (12) members appointed by the commissioner of health
as follows:

(A) Two (2) physicians (at least one of whom shall have
experience in organ transplantation);

(B) Three (3) representatives (one from each grand
division) from medical schools affiliated with transplant centers;

(C) One (1) representative of hospitals;

(D) One (1) representative of insurers or self-insurers;

(E) One (1) representative of each of the two (2) organ procurement organizations serving Tennessee; and

(F) Two (2) members of the general public who are knowledgeable in areas of the task force's work.

(b) The members shall serve on the task force without compensation.

The members shall be entitled to reimbursement for travel expense incurred in the performance of their official duties in conformity with comprehensive travel regulations as promulgated by the department of finance and administration and approved by the attorney general and reporter.

(c) The task force shall conduct a comprehensive examination of the medical, legal, ethical, economic, and social issues presented by human organ donation and transplantation.

(d) The task force shall report its findings and recommendations to the governor and the general assembly on or before January 1, 2006. The report shall include, but need not be limited to, the following:

(1) An assessment of public and private efforts to procure human organs for transplantation and an identification of factors that diminish the number of donors and of organs available for transplantation;

(2) An assessment of problems, if any, in coordinating the procurement of viable human organs;

(3) Recommendations for the education and training of health professionals, including physicians, nurses, and hospital and emergency care personnel, with respect to organ procurement;

(4) Recommendations for the education of the general public, the clergy, law enforcement officers, members of local fire departments, and

other agencies and individuals that may be instrumental in affecting organ procurement;

(5) An identification of barriers to the donation of organs to patients, if any, affected by state law or the health care system;

(6) An analysis of the manner in which organ transplantation technology is diffused among and adopted by qualified Tennessee medical centers, including a specification of the number and geographical distribution of qualified medical centers using such technology, an assessment of whether the number of centers using such technology is sufficient or excessive, and an assessment of whether the public has sufficient access to medical procedures using that technology; and

(7) Recommendations for legislative changes necessary to make organ donation and transplants more readily available to Tennessee citizens.

(e) The commissioner of health shall review the progress of the task force to determine the need for its continuance, and the commissioner shall report this determination to the governor and the general assembly on or before February 15, 2006.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.